



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Katy Allen

SUBJECT: NARVAEZ ROAD VACATION

DATE: 03-08-06

Approved

Debra Paulina

Date

3/13/06

Council District: 10

RECOMMENDATION

Adoption of a resolution of intention to vacate Narvaez Road between Narvaez Avenue and Route 87; and setting a public hearing on April 25, 2006 at 1:30 p.m.

CEQA: Exempt.

BACKGROUND

The Valley Transportation Authority (VTA), the adjacent property owner, has submitted an application for the vacation of Narvaez Road (map attached). This vacation is a part of the Guadalupe Freeway closeout project.

ANALYSIS

With the construction of Route 87 and the realignment of Narvaez Road (now Narvaez Avenue), the subject portion of Narvaez Road is located within the Capitol Light Rail Park and Ride Facility and is no longer accessible. Also, the VTA is considering a Transit Oriented Development on a portion of the park and ride lot. Staff has determined that this portion of Narvaez Road is not needed for public street purposes and can be vacated without adverse effects. The adjacent streets will provide adequate capacity and circulation for vehicles and pedestrians. All concerned utility companies have been contacted and have no objections to the proposed vacation. However, there are public facilities that will require the reservation of a public service easement. Therefore, a public service easement will be reserved over the entire area to be vacated.

According to the title reports submitted, fee title is held as follows:

- Figures 1, 3, 4, 5: Santa Clara County
- Figure 2: Santa Clara County Transit District 50% interest
- Figure 2: City of San Jose 50% interest

- Figure 6, 7, 8, 9, 11: Santa Clara Valley Transportation Authority
- Figure 10: Santa Clara County Transit District 75% interest
- Figure 10: City of San Jose 25% interest

Upon vacation the right-of-way will revert to the adjacent property owners and no further action by staff would be required with the exception of Figures 2 and 10 in which the City of San Jose has interest. The City of San Jose will be releasing their interest to the VTA. The release will require separate action by the Council, which will occur at a later date.

The actions required for the vacation of the subject right-of-way are:

March 28, 2006 at 1:30 p.m.: Council considers the adoption of a resolution of intention which:

1. Declares its intention to vacate the subject portion of Narvaez Road;
2. Sets a public hearing April 25, 2006 at 1:30 p.m.;
3. Directs the City Clerk to file the vacation map and advertise said public hearing; and
4. Directs the Director of Public Works to post the site with a Notice of Public Hearing.

April 25, 2006 at 1:30 p.m.: Council conducts a public hearing and considers a resolution of vacation, which vacates the subject portion of Narvaez Road.

OUTCOME

The Council declares its intention to vacate a portion of Narvaez Road, which allows staff to proceed to prepare for a public hearing on the subject vacation.

PUBLIC OUTREACH

All concerned utility companies have been contacted in writing and have no objection to this vacation on the condition that a public service easement is reserved.

COORDINATION

The required resolution and memorandum have been coordinated with the Planning, Building and Code Enforcement Department, City Manager's Budget Office and the City Attorney's Office.

HONORABLE MAYOR AND CITY COUNCIL

03-08-06

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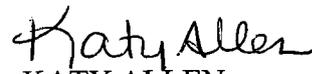
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COST IMPLICATIONS

Vacating the public right-of-way is in alignment with the Council-approved Budget Strategy Expenditure Control section by eliminating a City maintenance obligation and liability in the public right-of-way.

CEQA

Exempt



KATY ALLEN

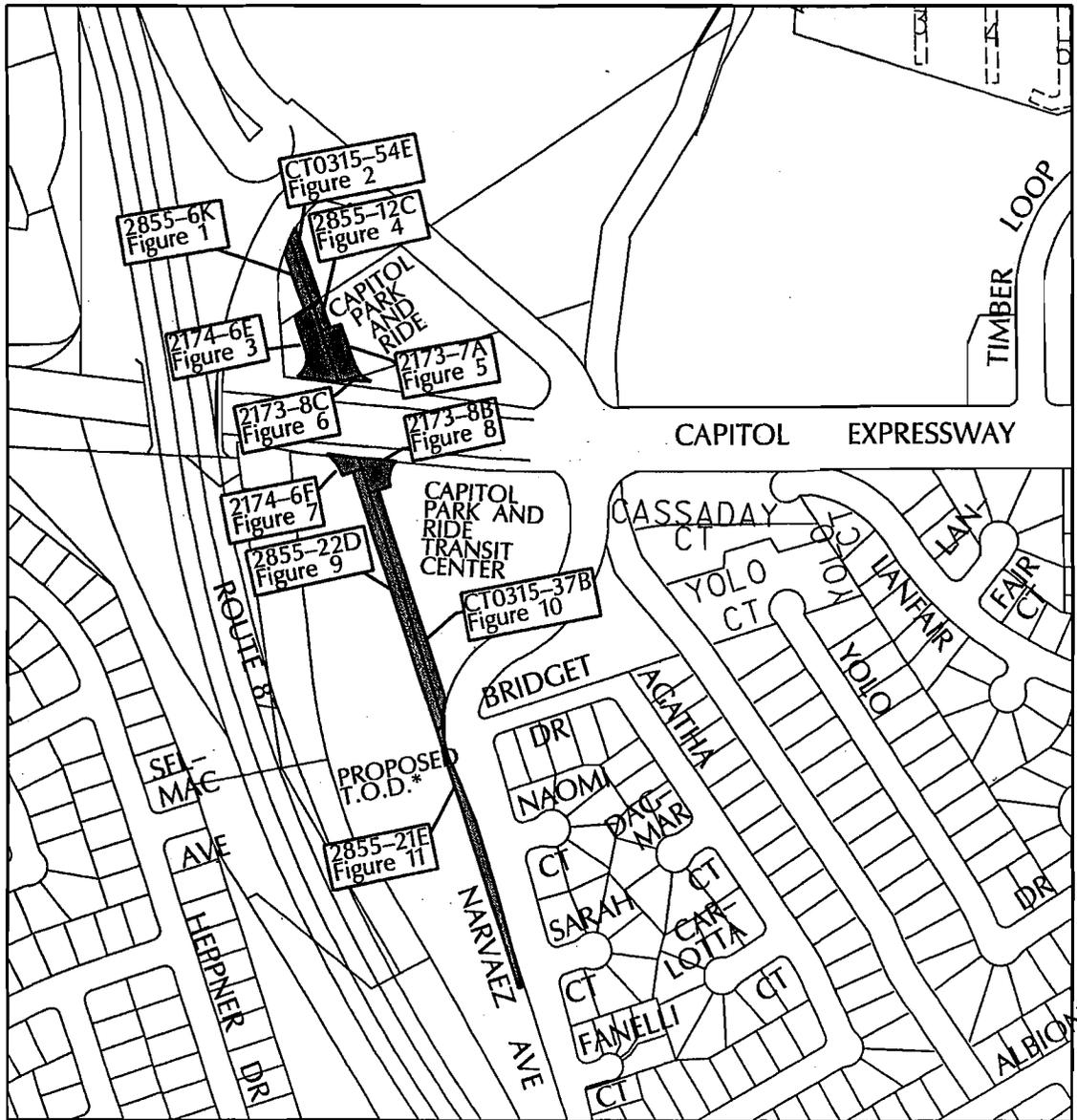
Director, Public Works Department

PD:MA:MD:

Attachment

LOCATION MAP

SHOWING THE VACATION OF NARVAEZ ROAD FROM NARVAEZ AVENUE TO ROUTE 87



*T.O.D. = TRANSIT ORIENTED DEVELOPMENT



AREA TO BE VACATED

